

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/666,024 Confirmation No. 7952  
Applicant : Reid Hayhow  
Filed : September 18, 2003  
TC/A.U. : 2138  
Examiner : Chung, Phung M.  
  
Docket No. : 10030557-1

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Sir:

The Office issued a "Notification of Non-Compliant Appeal Brief" on September 26, 2007. The Notification states:

The Appeal Brief does not contain: for example,

- 1) Issue;
- 2) Conclusion; and
- 3) Grouping of Claims.
- 4) The Appeal Brief also does not contain any statement regarding the double patent rejection.

With respect to point 1, appellant notes that current appeal brief requirements do not require recitation of an "Issue". See, MPEP 1205.02. However, appellant's appeal brief, as previously filed, did contain a section titled "Grounds of Rejection to be Reviewed on Appeal".

With respect to point 2, appellant notes that current appeal brief requirements do not require recitation of a "Conclusion". However, appellant's appeal brief, as previously filed, did contain a portion of the Argument titled "Conclusion".

With respect to point 3, appellant notes that current appeal brief requirements do not require a "Grouping of Claims". However, appellant's appeal brief, as previously

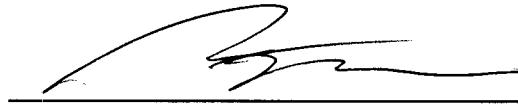
Appl. No. 10/666,024  
Response dated October 26, 2007  
Reply to Notification of Non-Compliant Appeal Brief of Sep. 26, 2007

filed, did contain a section titled "Grounds of Rejection to be Reviewed on Appeal", and the "Argument" section of appellant's previously-filed appeal brief contained subheadings for separately argued claims and claim groups.

With respect to point 4, appellant submits an amended Appeal Brief herewith. The only additions to the Appeal Brief pertain to the previously unaddressed double patenting rejection.

Respectfully submitted,  
HOLLAND & HART, LLP

By:

  
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